

## SECURITY PLEDGE LAW.

## DECISION OF LEGION OF HONOR INSURANCE CASE.

John Cook Must Pay John Emmeluth the Full Amount of Advances on A. L. of H. Policy.

The Supreme Court—constituted by Chief Justice Judd, Associate Justice Frear and Circuit Judge Whiting—has handed down a decision in the case of John Emmeluth vs. John Cook. In January, 1892, Cook, being unable to meet the assessments payable upon the benefit certificates of himself and his wife as companions of the American Legion of Honor, delivered the certificates to Emmeluth as security for advances to be made by the plaintiff to pay such assessments, the advances to bear interest at the rate of nine per cent. per annum. This action of assumption was brought to recover the advances so made from February 1, 1892, to January 3, 1895, amounting to \$1014, and \$142.11 interest.

The defendant, Cook, claimed, that he was not personally liable, as the plaintiff was to pay the assessments, it at all, on his own responsibility, and look for reimbursement only to the moneys payable on the certificates upon the death of the beneficiaries. He also claimed that whatever the agreement may have been prior to September, 1894, he was not liable, for payments made thereafter as he had at that time repudiated all responsibility in the matter.

The Supreme Court, in an opinion by Justice Frear, sustains the verdict of a jury in favor of Emmeluth for the full amount claimed, and declares the law to be as follows:

"A pledge of a benefit certificate, of the nature of a life insurance policy, in the absence of an agreement to the contrary, implies an undertaking to keep the certificate alive so long as it remains as security, and if he fails to pay the assessments as they become due the pledgee may do so and recover the amounts so paid from the pledgor in assumption, even though the payments were made by the pledgee after a repudiation of responsibility by the pledgor."

Carter, Kiney and Ballou for plaintiff; Megdon and Neumann for defendant.

## THE CHICAGO DRAINAGE CANAL.

EDITOR BULLETIN:—Yesterday one of your contemporaries published, as a news item, the statement that the city of Chicago had started to prepare to build a drainage canal, to cost \$30,000,000. Work was begun on this canal four months ago. The marvelous and unique machinery used in excavating, especially through the limestone region of Lockport and Joliet, in the north-eastern portion of Illinois, has brought to Chicago visiting engineers from England, Germany, France and Russia. A very full description of these excavating machines was published in Leslie's Weekly last July.

Canal-borders, doing the double work of breaking up and removing the material are in use. They utilize an entirely new principle of mechanics; or rather a new method of applying an old principle. Other machines of surprisingly ingenious construction have been tried and found to be a success.

It is believed that the probable cost of digging canals has been so much reduced by these new inventions that they will practically revolutionize prior ideas. The adoption of them in the construction of the proposed Nicaragua Canal is strongly approved of by the most eminent engineers of North America and Great Britain.

READER.

D. Howard Hitchcock has returned to town and is located at his studio at the corner of Hotel and Fort streets upstairs, entrance on Hotel street, where he has reopened his classes in drawing and painting. Studio afternoon at homes Fridays from 2 p. m. to 4 p. m. Visitors always welcome. \*



Mrs. Judge Peck

## Dyspepsia

## Mrs. Judge Peck Tells How She Was Cured

Sufferers from Dyspepsia should read the following letter from Mrs. H. M. Peck, wife of Judge Peck, a justice at Tracy, Cal., and a writer connected with the Associated Press:

"By a deep sense of gratitude for the great benefit I have received from the use of Hood's Sarsaparilla, I have been led to write the following statement for the benefit of sufferers who may be similarly afflicted. For 15 years I have been a great sufferer from dyspepsia and

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Gladly Recommend It. I now have an excellent appetite and nothing I eat ever distresses me. It also keeps up my

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MRS. AUG. DARROW.

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Montrose, Pa., Sept. 25, 1894

Yours respectfully,  
MRS. AUG. DARROW.

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